

SECOND REGULAR SESSION

# SENATE BILL NO. 1067

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

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4852S.011

TERRY L. SPIELER, Secretary.

## AN ACT

To repeal sections 210.870 and 620.1580, RSMo, and to enact in lieu thereof six new sections relating to the creation of the office of enterprise technology.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 210.870 and 620.1580, RSMo, are repealed and six  
2 new sections enacted in lieu thereof, to be known as sections 37.780, 37.783,  
3 37.786, 37.789, 210.870 and 620.1580, to read as follows:

**37.780. 1. There is hereby created within the office of  
2 administration an "Office of Enterprise Technology", referred to in  
3 sections 37.780 to 37.789 as the "office". The office shall be headed by  
4 a state chief information officer who shall be appointed by the  
5 governor, with the advice and consent of the senate.**

**6 2. The office may:**

**7 (1) Enter into contracts for goods or services with public or  
8 private organizations and charge fees for services it provides;**

**9 (2) Apply for, receive, and expend money from public agencies;**

**10 (3) Apply for, accept, and disburse grants and other types of aid  
11 from the federal government and other public or private sources;**

**12 (4) Enter into contracts with agencies of the federal government,  
13 local governmental units, the University of Missouri and other  
14 educational institutions, and private persons and other  
15 nongovernmental organizations as necessary to perform its statutory  
16 duties;**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17           **(5) Appoint committees and task forces of not more than two**  
18 **years' duration to assist the office in carrying out its duties;**

19           **(6) Sponsor and conduct conferences and studies, collect and**  
20 **disseminate information, and issue reports relating to information and**  
21 **communications technology issues;**

22           **(7) Participate in the activities of standards bodies and other**  
23 **appropriate conferences related to information and communications**  
24 **technology issues;**

25           **(8) Review the technology infrastructure of regions of the state**  
26 **and cooperate with and make recommendations to the governor,**  
27 **general assembly, state agencies, local governments, local technology**  
28 **development agencies, the federal government, private businesses, and**  
29 **individuals for the realization of information and communications**  
30 **technology infrastructure development potential;**

31           **(9) Sponsor, support, and facilitate innovative and collaborative**  
32 **economic and community development and government services**  
33 **projects, including technology initiatives related to culture and the**  
34 **arts, with public and private organizations; and**

35           **(10) Review and recommend alternative sourcing strategies for**  
36 **state information and communications systems.**

37           **3. (1) The office shall:**

38           **(a) Manage the efficient and effective use of available federal,**  
39 **state, local, and public and private resources to develop statewide**  
40 **information and telecommunications technology systems and services**  
41 **and its infrastructure;**

42           **(b) Approve state agency and intergovernmental information and**  
43 **telecommunications technology systems and services, development**  
44 **efforts involving state or intergovernmental funding, including federal**  
45 **funding;**

46           **(c) Provide information to the general assembly regarding**  
47 **projects reviewed, and recommend projects for inclusion in the**  
48 **governor's budget under section 33.280, RSMo;**

49           **(d) Ensure cooperation and collaboration among the state and**  
50 **local governments in developing intergovernmental information and**  
51 **telecommunications technology systems and services, and define the**  
52 **structure and responsibilities of a representative governance structure;**

53           **(e) Cooperate and collaborate with the legislative and judicial**

54 **branches in the development of information and communications**  
55 **systems in those branches;**

56 **(f) Promote and collaborate with the state's agencies in the**  
57 **state's transition to an effectively competitive telecommunications**  
58 **market;**

59 **(g) Collaborate with entities carrying out education and lifelong**  
60 **learning initiatives to assist Missourians in developing technical**  
61 **literacy and obtaining access to ongoing learning resources;**

62 **(h) Promote and coordinate public information access and**  
63 **network initiatives to connect Missouri's citizens and communities to**  
64 **each other, to their governments, and to the world;**

65 **(i) Promote and coordinate electronic commerce initiatives to**  
66 **ensure that Missouri businesses and citizens can successfully compete**  
67 **in the global economy;**

68 **(j) Manage and promote the regular and periodic reinvestment**  
69 **in the information and telecommunications technology systems and**  
70 **services infrastructure so that state and local government agencies can**  
71 **effectively and efficiently serve their customers;**

72 **(k) Facilitate the cooperative development of and ensure**  
73 **compliance with standards and policies for information and**  
74 **telecommunications technology systems and services, electronic data**  
75 **practices and privacy, and electronic commerce among international,**  
76 **national, state, and local public and private organizations;**

77 **(l) Eliminate unnecessary duplication of existing information**  
78 **and telecommunications technology systems and services provided by**  
79 **other public and private organizations while building on the existing**  
80 **governmental, educational, business, health care, and economic**  
81 **development infrastructures;**

82 **(m) Identify, sponsor, develop, and execute shared information**  
83 **and telecommunications technology projects and ongoing operations;**  
84 **and**

85 **(n) Ensure overall security of the state's information and**  
86 **technology systems and services.**

87 **(2) The chief information officer, in consultation with the**  
88 **commissioner of the office of administration, shall determine when it**  
89 **is cost-effective for agencies to develop and use shared information and**  
90 **telecommunications technology systems and services for the delivery**

91 of electronic government services. The chief information officer may  
92 require agencies to use shared information and telecommunications  
93 technology systems and services. The chief information officer shall  
94 establish reimbursement rates in cooperation with the commissioner of  
95 the office of administration to be billed to agencies and other  
96 governmental entities sufficient to cover the actual development,  
97 operating, maintenance, and administrative costs of the shared  
98 systems. The methodology for billing may include the use of  
99 interagency agreements, or other means as allowed by law.

37.783. 1. For the purposes of sections 37.780 to 37.789, the  
2 following terms shall mean:

3 (1) "Information and telecommunications technology systems and  
4 services", all computing and telecommunications hardware and  
5 software, the activities undertaken to secure that hardware and  
6 software, and the activities undertaken to acquire, transport, process,  
7 analyze, store, and disseminate information  
8 electronically. "Information and telecommunications technology  
9 systems and services" includes all proposed expenditures for computing  
10 and telecommunications hardware and software, security for that  
11 hardware and software, and related consulting or other professional  
12 services;

13 (2) "Information and telecommunications technology project", an  
14 effort to acquire or produce information and telecommunications  
15 technology systems and services;

16 (3) "Telecommunications", voice, video, and data electronic  
17 transmissions transported by wire, wireless, fiber-optic, radio, or other  
18 available transport technology;

19 (4) "Cyber security", the protection of data and systems in  
20 networks connected to the Internet.

21 2. The chief information officer shall coordinate the state's  
22 information and telecommunications technology systems and services  
23 to serve the needs of the state government. The chief information  
24 officer shall:

25 (1) Design a master plan for information and telecommunications  
26 technology systems and services in the state and its political  
27 subdivisions and shall report on the plan to the governor and general  
28 assembly by January 1 of each year;

29           **(2) Coordinate, review, and approve all information and**  
30 **telecommunications technology projects and oversee the state's**  
31 **information and telecommunications technology systems and services;**

32           **(3) Establish and enforce compliance with standards for**  
33 **information and telecommunications technology systems and services**  
34 **that are cost-effective and support open systems environments and that**  
35 **are compatible with state, national, and international standards;**

36           **(4) Maintain a library of systems and programs developed by the**  
37 **state and its political subdivisions for use by agencies of government;**

38           **(5) Direct and manage the shared operations of the state's**  
39 **information and telecommunications technology systems and services;**  
40 **and**

41           **(6) Establish and enforce standards and ensure acquisition of**  
42 **hardware and software necessary to protect data and systems in state**  
43 **agency networks connected to the Internet.**

44           **3. A state agency may not undertake an information and**  
45 **telecommunications technology project until it has been evaluated**  
46 **according to the procedures developed under subsection 4 of this**  
47 **section. The chief information officer shall give written approval of the**  
48 **proposed project. When notified by the chief information officer that**  
49 **a project has not been approved, the commissioner of the office of**  
50 **administration shall cancel the unencumbered balance of any**  
51 **appropriation allotted for the project.**

52           **4. The chief information officer shall establish and, as necessary,**  
53 **update and modify procedures to evaluate information and**  
54 **communications projects proposed by state agencies. The evaluation**  
55 **procedure must assess the necessity, design and plan for development,**  
56 **ability to meet user requirements, feasibility and flexibility of the**  
57 **proposed data processing device or system, its relationship to other**  
58 **state data processing devices or systems, and its costs and benefits**  
59 **when considered by itself and when compared with other options.**

60           **5. The chief information officer shall submit to the general**  
61 **assembly, at the same time as the governor's budget required by section**  
62 **33.280, RSMo, a concise narrative explanation of any information and**  
63 **communication technology project that involves collaboration between**  
64 **state agencies and an explanation of how the budget requests of the**  
65 **several agencies collaborating on the project relate to each other.**

66           6. The chief information officer shall establish and, as necessary,  
67 update and modify methods for developing information and  
68 communications systems appropriate to the specific needs of individual  
69 state agencies. The development methods shall be used to define the  
70 design, programming, and implementation of systems. The development  
71 methods must also enable and require a data processing system to be  
72 defined in terms of its computer programs, input requirements, output  
73 formats, administrative procedures, and processing frequencies.

74           7. In consultation with the attorney general and appropriate  
75 agency heads, the chief information officer shall develop cyber security  
76 policies, guidelines, and standards, and shall install and administer  
77 state data security systems on the state's computer facilities consistent  
78 with these policies, guidelines, standards, and state law to ensure the  
79 integrity of computer-based and other data and to ensure applicable  
80 limitations on access to data, consistent with the provisions of chapter  
81 610, RSMo. The chief information officer is responsible for overall  
82 security of state agency networks connected to the Internet. Each  
83 department or agency head is responsible for the security of the  
84 department's or agency's data.

85           8. The chief information officer may join with the federal  
86 government, other states, local governments, and organizations  
87 representing those groups either jointly or severally in the  
88 development and implementation of systems analysis, information  
89 services, and computerization projects.

          37.786. A state agency that implements electronic government  
2 services for fees, licenses, sales, or other purposes must use a single  
3 entry site created by the chief information officer for all agencies to  
4 use for electronic government services.

          37.789. The chief information officer shall develop and  
2 implement a system under which:

3           (1) State business can be conducted and permits or licenses  
4 obtained through electronic communication with the appropriate state  
5 agencies; and

6           (2) Applications for grants can be made electronically to state  
7 agencies when feasible.

          210.870. 1. There is hereby established the "Juvenile Information  
2 Governance Commission".

3           2. The commission shall be composed of the following members:

4           (1) The director of the department of mental health;

5           (2) The director of the department of health and senior services;

6           (3) The commissioner of education;

7           (4) The director of the department of social services;

8           (5) The director of the division of family services of the department of  
9 social services;

10          (6) The director of the division of youth services of the department of  
11 social services;

12          (7) The state courts administrator;

13          (8) The superintendent of the highway patrol;

14          (9) The chief information officer of the office of [information] **enterprise**  
15 technology of the office of administration;

16          (10) One judge who hears juvenile cases in a circuit comprised of one  
17 county of the first classification, appointed by the chief justice of the supreme  
18 court;

19          (11) One judge who hears juvenile cases in a circuit comprised of more  
20 than one county, appointed by the chief justice of the supreme court;

21          (12) One juvenile officer representing a circuit comprised of one county of  
22 the first classification, appointed by the chief justice of the supreme court;

23          (13) One juvenile officer representing a circuit comprised of more than one  
24 county, appointed by the chief justice of the supreme court.

25          3. The commission shall authorize categories of information to be shared  
26 between executive agencies and juvenile and family divisions of the circuit courts  
27 pursuant to section 210.865. The commission shall provide vision, strategy, policy  
28 approval and oversight for development and implementation of agency, law  
29 enforcement and juvenile and family court information sharing. The commission  
30 may appoint subcommittees to address technical and policy issues associated with  
31 information sharing, communication, development and implementation.

32          4. The state courts administrator or a designee shall chair the  
33 commission.

34          5. The commission shall meet as determined by the chair but not less than  
35 semiannually. A majority of the members of the commission shall constitute a  
36 quorum.

37          6. No member of the commission shall receive compensation for the  
38 performance of duties associated with membership on the commission.

39           7. Official minutes of all commission meetings shall be prepared by the  
40 chair, distributed to the members and filed by the state courts administrator.

41           8. The commission shall, on January 1, 2002, and annually thereafter on  
42 January first of each succeeding year, transmit a report summarizing the  
43 commission's findings to the general assembly.

          620.1580. 1. There is hereby established within the department of  
2 economic development the "Advisory Committee for Electronic Commerce". The  
3 purpose of the committee shall be to advise the various agencies of the state of  
4 Missouri on issues related to electronic commerce.

5           2. The committee shall be composed of thirteen members, who shall be  
6 appointed by the director of the department of economic development, as follows:

7           (1) One member shall be the director of the department of economic  
8 development;

9           (2) One member shall be an employee of the department of revenue;

10          (3) One member shall be an employee of the department of labor and  
11 industrial relations;

12          (4) One member shall be the secretary of state;

13          (5) One member shall be the chief information officer for the office of  
14 **enterprise** technology;

15          (6) Seven members shall be from the business community, with at least  
16 one such member being from an organization representative of industry, and with  
17 at least one such member being from an organization representative of  
18 independent businesses, and with at least one such member being from an  
19 organization representative of retail business, and with at least one such member  
20 being from an organization representative of local or regional commerce; and

21          (7) One member shall be from the public at large.

22           3. The members of the committee shall serve for terms of two years  
23 duration, and may be reappointed at the discretion of the director of the  
24 department of economic development. Members of the committee shall not be  
25 compensated for their services, but shall be reimbursed for actual and necessary  
26 expenses incurred in the performance of their service on the committee.

27           4. The director of the department of economic development shall serve as  
28 chair of the committee and shall designate an employee or employees of the  
29 department of economic development to staff the committee, or to chair the  
30 committee in the director's absence.

31           5. The committee shall meet at such places and times as are designated

32 by the director of the department of economic development, but shall not meet  
33 less than twice per calendar year.

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